UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

----X

------X 21 MC 102 (AKH)

Hon. Alvin K. Hellerstein,
U.S.D.J.

RULE 7.1 STATEMENT OF
TULLY INDUSTRIES INC

Pursuant to Federal Rule of Civil Procedure 7.1 and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for Tully Industries Inc. certifies that Tully Industries Inc. is a privately held company and that no parent corporation or publicly held corporation owns any interest therein.

Dated: Newark, New Jersey August 6, 2007 PATTON BOGGS LLP

By: /s
James E. Tyrrell, Jr. (JT-6837)
One Riverfront Plaza, 6<sup>th</sup> floor
Newark, NJ 07102
(973) 868-5600
JTyrrell@PattonBoggs.com

Attorneys for defendant Tully Industries Inc.